UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

DAVID SPRADLEY	)	
	)	
Plaintiff	)	**Case No. 15-CV-00340-FHS**
	)	
	)	**Jury Trial Demanded**
v.	)	
	)	
THE LEFLORE COUNTY	)	
DETENTION CENTER PUBLIC	)	
TRUST BOARD, DONNIE EDWARDS	)	
JAIL ADMINISTRATOR FOR	)	
THE LEFORE COUNTY PUBLIC	)	
TRUST BOARD in his official capacity;	)	
ED DRURY in his individual capacity	)	
	)	
Defendants	)	

COMPLAINT

COMES NOW, the Plaintiff and for his cause of action shows the court as follows:

Jurisdiction

1. That pursuant to *28 USC §1331* the court has jurisdiction as the result of the violation of a federal question. Namely a violation of the Plaintiffs rights under the Fourteenth and/or Eighth Amendment to the Constitution of the United States; *42 USC 1983*; The American's with disabilities Act *42 USC §1231*.

Statement of the Case

2. That at all relevant times the Defendants were operating under the color of law.
3. That the Plaintiff is a resident of the State of Oklahoma.
4. That the Defendant Ed Drury was at all times an employee of and the Director of Nursing for the Leflore County Detention Center.

5. That the Leflore County Detention Center Public Trust Board (LCDC) and the Jail Administrator are tasked with the operation of the LeFlore County Jail and are responsible for creating the policies and conduct the training for the employees of the LCDC.
6. That at all relevant times the Plaintiff was a paraplegic who is incapable of walking and caring for his physical needs without assistance.
7. In September 2014 the Plaintiff was incarcerated in the LCDC as the result of an effort to revoke a suspended sentence.
8. When taken to the LCDC Spradley was not given the medication or suppositories to allow him to regulate his bowel movements.
9. The Plaintiff complained to Ed Drury to rectify the situation to no avail.
10. In response to the Plaintiff's request Drury responded, "We don't have your fucking medication. This is what you get for coming to jail".
11. When the Plaintiff soiled himself with a bowel movement, the Plaintiff informed the LCDC staff and was told "This isn't a daycare center your are a grown man, Mr. Spradley figure something out"
12. The Plaintiff bonded out of jail within approximately 24 hours. Once at home the Plaintiff notice a red-mark on his right –hip and tail bone
13. The next morning, the Plaintiff's bond was revoked and the Plaintiff was returned to the LCDC.
14. When he was returned to the LCDC he was put in holding cell with a bed not properly designed for a paraplegic. Namely, the bed was a hard surface not conducive for a person suffering from paraplegia,

15. The Plaintiff was not allowed his bowel or bladder medication and urinated and defecated on his self as a result.
16. Spradley would complain to detention officers and would go for days without being taken to the bathroom.
17. As a result of the Defendants activities, the Plaintiff developed bedsores and because of the unsanitary condition foisted upon the Plaintiff the sores could not be kept clean.
18. On those occasions when the Plaintiff was taken to the shower, he was stripped naked and taken through the public booking area on his way to the shower, causing him extreme humiliation.
19. On weekends the Plaintiff would receive no treatment for his bedsores, during the week Ed Drury would change Spradley's dressings, but not provide the proper medical care.
20. The Plaintiff's dressings and clothing were so blood soaked that that Drury even acknowledged they were getting worse, but still refused to have the Plaintiff taken to the hospital.
21. The Plaintiff believes that the bedsores had progressed to their most decrepit state.
22. The Plaintiff would be in such pain that he would yell for the detention officers only to be told to "shut the fuck up".
23. The Plaintiff began running a fever and becoming really ill, EMS was called and the Plaintiff was taken to a hospital in Poteau.

24. The Plaintiff is under the believe that contrary to the wishes of the Defendant Drury, other detention officers arranged to have the Plaintiff transported to the hospital.
25. His condition was so severe he could not be treated in Poteau and was taken to Hillcrest Hospital in Tulsa.
26. Ultimately several surgeries had to be performed to address his bedsores.

Count I

Violation of 42 USC § 1983
Failure to provide Medical Treatment

27. The Plaintiff incorporates paragraphs 1-26 by reference herein.
28. That Spradley had a serious medical condition that was made known to Defendant Drury. Additionally, there were other employees of the LeFlore County Defendants who were charged with the care and supervision of the prisoners who were aware of Spradley's medical condition.
29. That these individuals chose to ignore Spradley's request for medical treatment with said inaction arising to the level of deliberate indifference.
30. That as a result, the Plaintiff had his rights violated as guaranteed by the Eighth and/or Fourteenth Amendment to the Constitution of the United States.

Count II

Negligent Training and Supervision
Violation of 42 USC §1983

31. The Plaintiff incorporates paragraphs 1 through 30 by reference herein.
32. The Detention Center and the Jail Administrator in his official capacity failed

to properly supervise their employees or agents. Further, the Defendants were not properly trained in the rights afforded inmates, nor were they properly trained to identify and tend to the serious medical needs of their prisoners.

33. The Plaintiff believes that there are other incidents where the failure to properly train LCDC guards in the dispensing of medical treatment led to the improper treatment of certain inmates.

34. That as a result, the Plaintiff had his rights violated as guaranteed by the Eighth and/or Fourteenth Amendment to the Constitution of the United States.

COUNT III

Custom and Policy
Violation of 42 USC § 1983

35. The Plaintiff incorporates paragraphs 1-34 by reference herein.

36. The Detention Center had a policy or engaged in a pattern and practice of conduct that led to the violation of Plaintiff's rights as guaranteed under the Constitution of the United States.

37. Specifically, the Plaintiff asserts that there have been other instances of abuse and of inadequate medical care for inmates that have occurred with the acquiescence if not the direction of policy makers for the Detention Center and the Jail Administrator. Particular, the Plaintiff believes that a former LCDC nurse would testify that Drury's attitude about provided medical care for inmates was exemplified when he would say inmates should not be sent to the hospital unless they were dying.

38. That as a result of the Defendant's policies and practices Plaintiff suffered a violation of his rights as guaranteed under the Eighth and/or Fourteenth Amendments to the Constitution of the United States.

Count IV

Violation of the Americans with Disabilities Act

39. The Plaintiff incorporates paragraphs 1-38 by reference herein.
40. That the Defendant is in violation of the Title II of the American's with Disabilities Act 42 *USC § 12131*.
41. That the Plaintiff is a qualified individual with a disability.
42. The Plaintiff was denied the Defendant LCDC's benefits, services or activities; namely the failure to allow consistent showering, failure to provide proper toilet facilities and the failure to provide the proper medical treatment.
43. Such exclusion, denial of benefits or discrimination was by reason of a disability.
44. As a result of the Defendant's actions he was injured.

Count V

Violation of the Rehabilitation Act

45. The Plaintiff incorporates paragraphs 1through 44 by reference herein.
46. The Plaintiff is disabled under the Act *29 USC § 794*.
47. The Plaintiff would be otherwise qualified to participate in the programs or benefits of the LCDC.
48. That the Plaintiff believes that the LCDC is receiving federal funds.
49. That the Plaintiff has been discriminated on account of his disability in relation to these benefits.

WHEREFORE, the Plaintiff prays for judgment against the Defendants for compensatory damages; including physical and emotional pain and suffering; medical expenses; punitive damages against Defendant Drury and the costs of the action including a reasonable attorney fee.

Respectfully submitted,

/s David Blades

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